

# FISCAL NOTE

## SB 32

January 23, 2001

**SUMMARY OF BILL:** Amends TCA Title 9, Chapter 4, Part 51 by adding a new section that prohibits the use of state funds to perform abortions.

### ESTIMATED FISCAL IMPACT:

**Other Fiscal Impact - Jeopardizes receipt of Federal Title XIX funds of approximately \$3 billion which provides the federal match for the TennCare program.**

This legislation as written would place TennCare in conflict with federal law and regulations. Since state funds are a required match for federal financial participation, this proposed legislation would conflict with TennCare requirements under the Medicaid program and would subject the State to possible disallowance of federal financial participation for the program.

Federal law requires that Title XIX dollars cover abortions when the pregnancy is the result of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

There is also a potential for increased state expenditures if litigation is filed from passage of the bill; however, the number of cases and the cost of those cases cannot be determined.

### CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director